

JUL 26 2006

Patent
Serial No. 10/056,492
Amendment in Reply to Office Action of May 5, 2006

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated May 5, 2006. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-19 are pending in this application. Claims 1, 8 and 9 are independent claims.

In the Office Action, Claim 1, 8 and 9 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite due to vagueness. The Applicant feels that these claims are not vague and are clearly supported by the specification as submitted. Accordingly, it is respectfully submitted that Claims 1, 8 and 9 are not vague. However, to further the prosecution of this matter, Claims 1, 8 and 9 are amended herein to attempt to address any concerns expressed in the Office Action. For example, Claim 1 was amended to include "wherein said modifying act is applied to signal samples if the modified signal sample equals the first value due to said modification, and wherein said modifying act is not applied to signal samples if the modified signal sample does not equal the first value due to said modification." These amendments to the claims are not intended to narrow the scope of the originally

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submitted claims. The claims were not amended in order to address issues of patentability since it is the Applicant's position that the claims were clear and definite as submitted and are of similar scope as amended. Accordingly, Applicant respectfully reserves all rights they may have under the Doctrine of Equivalents. Applicant furthermore reserves their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications. It is respectfully submitted that with the explanation provided above, the 35 U.S.C. §112, second paragraph rejection can not be maintained. Accordingly, it is respectfully requested that the 35 U.S.C. §112, second paragraph rejection be withdrawn.

Claims 1-19 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,373,960 to Conover et al ("Conover"). These rejections are respectfully traversed.

Conover shows a system for watermarking an information signal. In the section cited in the Office Action (see, Office Action, page 3, numbered paragraph 9), Conover describes that blocks of DCT coefficients of the watermark are added to blocks of DCT coefficients of the information signal to produce a new set of coefficients. Conover further shows that "watermarking a site 152

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may consist in changing the DCT coefficient, preferably to a DCT coefficient having the same number of bits as the DCT coefficient being replaced." (See, Col. 11, lines 41-44). In Conover, the DCT coefficient number is converted to a different DCT coefficient number having the same number of bits or binary numbers. Accordingly, the cited sections of Conover describe "precisely how watermarking sites 152 are to be modified." (See, Col. 11, lines 30-31.)

The method of watermarking by changing a DCT coefficient of an information signal in Conover is made to produce a result that has the same number of bits as the unwatermarked DCT coefficient. The method of watermarking in Conover is not based on applying a modifying act to signal samples if the modified signal sample equals the first value.

Conover does describe numerous methods of selecting sites for watermarking (e.g., see, Col. 9, line 55 through Col. 11, line 10). For example, Conover suggests that B-frames are preferred over I-frames or P-frames (see, Col. 9, line 59 through Col. 10, line 5), variable length code words with more bits are preferred (Col. 10, lines 6-20), coefficients having higher frequency basis cosine curves are preferred (see, Col. 10, lines 30-44), etc.

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However, the method of Claim 1 is not anticipated or made obvious by the teachings of Conover. For example, Conover does not disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis provided)

the act of modifying signal samples in accordance with a watermark pattern, wherein said modifying act is applied to signal samples if the modified signal sample equals the first value due to said modification, and wherein said modifying act is not applied to signal samples if the modified signal sample does not equal the first value due to said modification.

as required by Claim 1, and as substantially required by each of Claims 8 and 9.

Based on the foregoing, the Applicant respectfully submits that independent Claims 1, 8 and 9 are patentable over Conover and notice to this effect is earnestly solicited. Claims 2-7 and 10-19 respectively depend from one of Claims 1 and 9 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the

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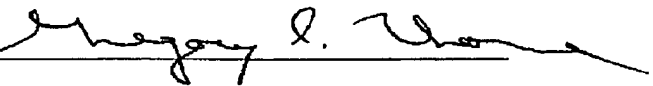
foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due for entrance of the accompanying amendment. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101